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6/4/2012
MEMO ENDORSE

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The Honorable Denise L. Cote
United States District Judge
United States Courthouse
500 Pearl Street, Courtroom 11B
New York, NY 10007-1312

June 1

Re: *In re Application of Duhamel Broadcasting Enterprises, et al.*, 11 Civ. 9311(DLC)
related to *U.S. v. Am. Soc'y of Composers, Authors and Publishers*, 41 Civ. 1395 (DLC)

Dear Judge Cote:

We represent Applicants Duhamel Broadcasting Enterprises, et al. ("Applicants") in the above-referenced rate court proceeding. We write on behalf of Applicants and for Mr. Cohen and the American Society of Composers, Authors and Publishers ("ASCAP") to inform the Court that the parties have reached a settlement in principle in this matter with respect to the license fees and terms for the period January 1, 2010 through December 31, 2016.

The parties have begun drafting the necessary blanket and per-program licenses and ancillary documents to implement the settlement in principle. Given the drafting complexities for licenses that will cover hundreds of local television stations for a seven-year period, the parties request that all deadlines in this matter be adjourned for 60 days to allow sufficient time to finalize the necessary agreements and submit a proposed final order.

The parties anticipate that, once the necessary blanket and per-program license agreements have been finalized, the parties will notify each of the Applicants in this matter as to its proposed resolution and provide them with notice of the date and time of the hearing at which the proposed final order will be considered by the Court. The parties anticipate being in touch with chambers to schedule the hearing in the next two weeks or so, with the expectation that it will be sometime in early August, if the Court's calendar permits.

Respectfully submitted,



R. Bruce Rich

cc: Counsel of Record (via email)

The request to adjourn all deadlines is denied. Any application for approval of a settlement is due July 27. A hearing will be held on August 9 at 10⁰⁰ am.
Denise Cote
June 7, 2012